

ESTTA Tracking number: **ESTTA256084**

Filing date: **12/18/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	ASICS Corporation		
Entity	Corporation	Citizenship	Japan
Address	1-1, Minatojima-Nakamachi 7 Chome, Chuo-Ku Kobe, 650-8555 JAPAN		

Attorney information	Michael R. Friscia McCarter & English LLP 100 Mulberry Street Four Gateway Center Newark, NJ 07102 UNITED STATES mboyce@mccarter.com, mfriscia@mccarter.com Phone:973 622 4444
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### Applicant Information

Application No	77513412	Publication date	11/25/2008
Opposition Filing Date	12/18/2008	Opposition Period Ends	12/25/2008
Applicant	Trifecta Manufacturing Ltd. 3 Hok Yuen Street Flat M, 3/F Kaiser Estate Phase Hung Hom, HONG KONG		

### Goods/Services Affected by Opposition

Class 018. First Use: 2008/07/02 First Use In Commerce: 2008/07/02 All goods and services in the class are opposed, namely: All-purpose carrying bags; Duffel bags; Duffel bags for travel; Messenger bags
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### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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### Marks Cited by Opposer as Basis for Opposition

U.S. Application No.	77466465	Application Date	05/06/2008
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ECOLINE		

Design Mark	<h1>EcoLine</h1>
Description of Mark	NONE
Goods/Services	Class 025. First use: ATHLETIC APPAREL, NAMELY, JERSEYS, SINGLET, RUNNING TOPS, CAPRI, SHORTS, SHIRTS, EXERCISE COMPRESSION SHIRTS, EXERCISE COMPRESSION TIGHTS, TANK TOPS, JACKETS, VESTS, TIGHTS, RUNNING PANTS, BRAS, BRIEFS, EXERCISE COMPRESSION BRAS, BERMUDA SHORTS, T-SHIRTS, SOCKS, CAPS, VISORS, HATS, BEANIES, SKULL CAPS, HEADBANDS, GLOVES, WRISTBANDS


U.S. Application No.	77616533	Application Date	11/18/2008
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ECOLINE		
Design Mark	<h1>EcoLine</h1>		
Description of Mark	NONE		
Goods/Services	Class 018. First use: BACKPACKS, WAIST PACKS, ALL PURPOSE SPORT BAGS, NAMELY, BAGS FOR RUNNING, WRESTLING, VOLLEYBALL, AND CARRYING WATER, ARMBANDS, CARRYING SPORTS GEAR AND SPORTS BALLS, WAIST POUCHES, SHOE BAGS FOR TRAVEL, ALL-PURPOSE ATHLETIC BAGS FOR USE IN LOCKERS, SPORTS SACS, ALL-PURPOSE ESSENTIAL CARRYING BAGS FOR CARRYING CHAIRS, ALL-PURPOSE ESSENTIAL CARRYING BAGS, DUFFLE BAGS, BRIEFCASES		


U.S. Registration No.	3305197	Application Date	08/21/2006
Registration Date	10/09/2007	Foreign Priority Date	NONE
Word Mark	ASICS		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 018. First use: First Use: 2006/05/22 First Use In Commerce: 2006/05/22 Backpacks, waist packs, all purpose sport bags, namely, bags for running, wrestling, volleyball, and carrying water, armbands, carrying sports gear and sports balls, waist pouches, shoe bags for travel, all-purpose athletic bags for use in lockers, sports sacs, all-purpose essential carrying bags for carrying chairs, all-purpose essential carrying bags, duffle bags, briefcases</p> <p>Class 025. First use: First Use: 2006/05/22 First Use In Commerce: 2006/05/22 Footwear; Athletic apparel, namely, jerseys, singlets, running tops, capris, shorts, shirts, exercise compression shirts, exercise compression tights, tank tops, jackets, vests, tights, running pants, bras, briefs, exercise compression bras, bermuda shorts, t-shirts, socks, caps, visors, hats, beanies, skull caps, headbands, gloves, wristbands, ankle bands, reflective vests and reflective ankle, wrist and armbands</p> <p>Class 028. First use: First Use: 2006/05/22 First Use In Commerce: 2006/05/22 Knee pads for athletic use, wrestling head guards, jump ropes, elbow pads for athletic use, volleyball nets, and volleyball net antennas</p>

U.S. Registration No.	2816548	Application Date	02/10/2003
Registration Date	02/24/2004	Foreign Priority Date	NONE
Word Mark	ONITSUKA TIGER		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 018. First use: First Use: 2002/12/05 First Use In Commerce: 2002/12/05 Bags, namely gym bags, tote bags, shoulder bags, all-purpose sport bags and wallets</p>		

U.S. Registration	1962590	Application Date	10/29/1991
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No.			
Registration Date	03/19/1996	Foreign Priority Date	05/22/1991
Word Mark	ASICS		
Design Mark			
Description of Mark	The mark consists of a stylized letter "A".		
Goods/Services	<p>Class 018. First use: all purpose sports bags, athletic bags, fanny packs, shoe bags for storage, shoulder bags, [ clutch bags, trunks for travel, ] travelling bags, tote bags, travel bags, duffel bags, knapsacks, rucksacks, [ parasols, umbrellas, leather and imitations of leather sold in bulk, animal skins, animal hides, walking sticks, whips, harnesses and saddlery ]</p> <p>Class 022. First use: [ropes,] [ string, ] [commercial nets,] [ tents, awnings, canvas tarpaulins, sails, wadding for padding and stuffing materials (except of rubber or plastics), and raw fibrous textile materials ]</p> <p>Class 025. First use: sports shoes, athletic shoes, track and field shoes, track and field spiked shoes, marathon shoes, running shoes, jogging shoes, training shoes, football shoes (boots), basketball shoes, volleyball shoes, tennis shoes, [ rugby football shoes, table tennis shoes, ] handball shoes, American football shoes, weightlifting shoes, badminton shoes, boxing shoes (boots), wrestling shoes (boots), [ shoes for tug of war, gymnastic shoes, archery shoes, fencing shoes, driver shoes, ] court shoes, baseball shoes, junior sports shoes, [ special work boots, overshoes, arctic boots, ] bowling shoes, mountaineering shoes (boots), [ golf shoes, ] school sports shoes, [ formal shoes, ] casual shoes, [ town shoes, ] leisure shoes, shoes in general, other shoes, inner soles for shoes, sports socks, golf socks, other socks, [ stockings, stocking garters, ] track suits, track and field sweat suits, warm-up suits, running suits, other suits, sweat shirts, running shirts, polo shirts, other shirts, sweat pants, wind-proof pants, other pants, trousers, running shorts, heavy shorts, other shorts, jerseys, [ sports coats, ] other coats, sweaters, wind-proof jackets, other jackets, vests, sports underwears, other underwears, bathing trunks and suits, running gloves, [ golf gloves, ] other gloves, sports caps, [ golf caps, ] other caps, [ golf hats, ] other hats, [ golf belts, other belts, ] wrist bands, sunvisors, and headwear</p> <p>Class 026. First use: hair bands</p> <p>Class 028. First use: leg guards for athletic use, athletic supporters, athletic tapes, [ paddles for table tennis, tennis rackets, table tennis paddle cases, racket cases, golf bags, golf caddie bags, golf clubs, golf club head covers, golf nets, ] volleyball nets, [ and decorations for Christmas trees ]</p>		
U.S. Registration	1308985	Application Date	12/16/1982

No.			
Registration Date	12/11/1984	Foreign Priority Date	NONE
Word Mark	ASICS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 1978/12/00 First Use In Commerce: 1979/02/00 Duffle Bags, All-Purpose Sports Bags, Totebags, Backpacks, Gym Bags Designed for Carrying Athletic Shoes, Rucksacks, Knapsacks, and Haversacks		

U.S. Registration No.	1128988	Application Date	02/07/1977
Registration Date	01/08/1980	Foreign Priority Date	NONE
Word Mark	ASICS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 1976/12/23 First Use In Commerce: 1976/12/28 SPORTS BAGS FOR GENERAL USE Class 025. First use: First Use: 1976/12/23 First Use In Commerce: 1976/12/28 ATHLETIC SHOES, SHIRTS, PANTS, SOCKS, AND WARM-UP SUITS Class 028. First use: First Use: 1976/12/23 First Use In Commerce: 1976/12/28 VOLLEYBALLS, VOLLEYBALL NETS, BASEBALL BATS, BASEBALL GLOVES, TENNIS RACKETS, GOLF BALLS, SKIS, AND SKI BINDINGS		

Attachments	77466465#TMSN.jpeg ( 1 page )( bytes ) 77616533#TMSN.jpeg ( 1 page )( bytes ) 76664929#TMSN.gif ( 1 page )( bytes ) 76488727#TMSN.gif ( 1 page )( bytes ) 74216712#TMSN.gif ( 1 page )( bytes ) 73406164#TMSN.gif ( 1 page )( bytes ) ASICS v Trifecta Notice Opposition.pdf ( 29 pages )(1100152 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Overnight Courier on this date.

Signature	/Michael R. Friscia/
Name	Michael R. Friscia
Date	12/18/2008

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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In the matter of Application :  
Serial No. 77/513,412 :  
For the mark: **ECOLINE** :  
 :  
 :  
 :  
Published in the Official :  
Gazette (Trademarks) on :  
November 25, 2008 :  
 :  
ASICS CORPORATION, :  
OPPOSER, :  
 :  
v. :  
 :  
TRIFECTA MANUFACTURING LTD., :  
APPLICANT. :  
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OPPOSITION NO. \_\_\_\_\_

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

**NOTICE OF OPPOSITION**

1. ASICS CORPORATION ("Opposer") is a corporation organized and existing under the laws of Japan having a principal place of business at 1-1, Minatojima-Nakamachi 7 Chome, Chuo-Ku, Kobe 650-8555 JAPAN.

2. Upon information and belief, the applicant Trifecta Manufacturing Ltd. is a corporation organized under the laws of Hong Kong and having a place of business of 3 Hok Yuen Street Flat M, 3/F Kaiser Estate Phase, Hunghom, Hong Kong ("Applicant").

3. Opposer believes that it will be damaged by the registration of Applicant's Application Serial No. 77/513,412 for the mark ECOLINE as it relates to "All-purpose carrying bags; Duffel bags; Duffel bags for travel; Messenger bags," in Class 18 (collectively, "Applicant's Mark"), and hereby opposes same.

4. Opposer is the owner of a trademark application for the mark ECOLINE, Serial No. 77/466,465, covering "athletic apparel, namely, jerseys, singlets, running tops, capris, shorts, shirts, exercise compression shirts, exercise compression tights, tank tops, jackets, vests, tights,

running pants, bras, briefs, exercise compression bras, bermuda shorts, t-shirts, socks, caps, visors, hats, beanies, skull caps, headbands, gloves, wristbands,” in Class 25. Opposer is also the owner of an application for the mark ECOLINE, Serial No. 77/616,533, covering “backpacks, waist packs, all purpose sport bags, namely, bags for running, wrestling, volleyball, and carrying water, armbands, carrying sports gear and sports balls, waist pouches, shoe bags for travel, all-purpose athletic bags for use in lockers, sports sacs, all-purpose essential carrying bags for carrying chairs, all-purpose essential carrying bags, duffle bags, briefcases,” in Class 18 (collectively, “Opposer’s ECOLINE Marks”). Copies of the U.S. Patent and Trademark Office’s *TARR* printout of these applications are attached as EXHIBIT A.

5. Opposer’s application for the mark ECOLINE covering goods in Class 25 was filed in the U.S. on May 6, 2008, prior to July 2, 2008, the filing date of Applicant’s application to register the Applicant’s Mark and prior to the date on which Applicant alleges it first used Applicant’s Mark in U.S. commerce.

6. Opposer’s application for the mark ECOLINE covering goods in Class 25, filed prior to Applicant’s application filing date and first use date, demonstrates that Opposer has priority over Applicant with regard to the mark ECOLINE in connection with clothing, as well as in connection with related goods that are in the zone of expansion of Opposer’s goods, including but not limited to bags.

7. One of Opposer’s ECOLINE Marks cover various types of bags, including all-purpose carrying bags and duffel bags, which are identical and closely related to the goods covered by the Applicant’s Mark. In addition, one of Opposer’s ECOLINE Marks covers various types of apparel and accessories, which are closely related to the goods covered by the Applicant’s Mark. Given the identical and closely related nature of the goods, combined with the facts that Opposer’s ECOLINE Marks are identical to Applicant’s Mark in sight, sound, meaning and commercial impression, Applicant’s Mark is confusingly similar to Opposer’s ECOLINE Marks. Further, Opposer has sold various bags in International Class 18 in connection with other marks, including but not limited to Opposer’s famous and distinctive ASICS mark, for several years. Thus consumers have come to recognize Opposer as a source of bags, which makes confusion between Opposer’s ECOLINE Marks and Applicant’s Mark even more likely. *TARR* printouts of some of the registrations for marks owned by Opposer that relate to these products are listed in EXHIBIT B.

## **COUNT ONE**

### **Likelihood of Confusion**

8. Opposer repeats and realleges each and every allegation set forth in paragraphs 1 through 7.

9. In view of the identical nature of Opposer’s ECOLINE Marks and Applicant’s Mark, and the identical and closely related nature of the goods of the respective parties, Applicant’s Mark so resembles Opposer’s ECOLINE Marks, one of which was filed before



Applicant's application to register Applicant's Mark was filed and before Applicant's claimed first use date, as to be likely to cause confusion, or to cause mistake, or to deceive.

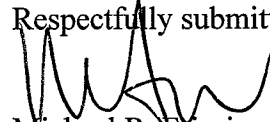
10. The granting of a trademark registration for Applicant's Mark to Applicant would be contrary to Section 2(d) of the Lanham Act, 15 U.S.C. 1052(d), and would violate or diminish the prior and superior rights of Opposer in Opposer's ECOLINE Marks.

11. Opposer will be damaged if Application Serial No. 77/513,412 should be granted because Applicant will obtain statutory rights in the designation ECOLINE in violation and derogation of the established prior rights of Opposer.

WHEREFORE, Opposer prays that said Application Serial No. 77/513,412 be rejected, that no registration be issued thereon to Applicant, and that this opposition be sustained in favor of Opposer.

Dated: December 18, 2008

Respectfully submitted,



Michael R. Friscia  
Attorney for Opposer  
McCarter & English, LLP  
Four Gateway Center  
100 Mulberry Street  
Newark, NJ 07102  
Tel: (973) 639-8493  
Fax: (973) 624-7070

## **EXHIBIT A**

**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2008-12-18 14:26:29 ET**

**Serial Number:** 77466465 Assignment Information      Trademark Document Retrieval

**Registration Number:** (NOT AVAILABLE)

**Mark**

# EcoLine

**(words only):** ECOLINE

**Standard Character claim:** Yes

**Current Status:** Application has been published for opposition.

**Date of Status:** 2008-10-14

**Filing Date:** 2008-05-06

**The Information will be/was published in the Official Gazette on 2008-10-14**

**Transformed into a National Application:** No

**Registration Date:** (DATE NOT AVAILABLE)

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 111

**Attorney Assigned:**  
GRAY CAROLYN C

**Current Location:** 650 -Publication And Issue Section

**Date In Location:** 2008-09-09

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. ASICS Corporation

**Address:**

ASICS Corporation  
1-1, Minatojima-Nakamachi 7-Chome  
Chuo-ku, Kobe 650-8555

Japan

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Japan

**Phone Number:** (845) 357-4533

**Fax Number:** (845) 357-4616

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### GOODS AND/OR SERVICES

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**International Class:** 025

**Class Status:** Active

ATHLETIC APPAREL, NAMELY, JERSEYS, SINGLET, RUNNING TOPS, CAPRI, SHORTS, SHIRTS, EXERCISE COMPRESSION SHIRTS, EXERCISE COMPRESSION TIGHTS, TANK TOPS, JACKETS, VESTS, TIGHTS, RUNNING PANTS, BRAS, BRIEFS, EXERCISE COMPRESSION BRAS, BERMUDA SHORTS, T-SHIRTS, SOCKS, CAPS, VISORS, HATS, BEANIES, SKULL CAPS, HEADBANDS, GLOVES, WRISTBANDS

**Basis:** 1(b)

**First Use Date:** (DATE NOT AVAILABLE)

**First Use in Commerce Date:** (DATE NOT AVAILABLE)

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### ADDITIONAL INFORMATION

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(NOT AVAILABLE)

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### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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### PROSECUTION HISTORY

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2008-10-14 - Published for opposition

2008-09-24 - Notice of publication

2008-09-09 - Changes/Corrections After Pub Approval Entered

2008-08-20 - Withdrawn From Issue - Petitions Office Request

2008-08-19 - Published for opposition

2008-07-30 - Notice of publication

2008-07-11 - Law Office Publication Review Completed

2008-07-11 - Approved for Pub - Principal Register (Initial exam)

2008-07-11 - Examiner's Amendment Entered

2008-07-11 - Notification Of Examiners Amendment E-Mailed  
2008-07-11 - Examiners amendment e-mailed  
2008-07-11 - Examiners Amendment -Written  
2008-07-08 - Previous allowance count withdrawn  
2008-06-27 - Withdrawn From Pub - Og Review Query  
2008-06-18 - Law Office Publication Review Completed  
2008-06-18 - Assigned To LIE  
2008-06-18 - Approved for Pub - Principal Register (Initial exam)  
2008-06-17 - Assigned To Examiner  
2008-05-10 - Notice Of Pseudo Mark Mailed  
2008-05-09 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Michael E. Zall

**Correspondent**

MICHAEL E. ZALL  
MICHAEL E. ZALL  
2 YORKSHIRE DR  
SUFFERN, NY 10901-7414  
Phone Number: (845) 357-4533  
Fax Number: (845) 357-4616

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**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2008-12-18 14:27:26 ET**

**Serial Number:** 77616533 Assignment Information      Trademark Document Retrieval

**Registration Number:** (NOT AVAILABLE)

**Mark**

# EcoLine

**(words only):** ECOLINE

**Standard Character claim:** Yes

**Current Status:** Newly filed application, not yet assigned to an examining attorney.

**Date of Status:** 2008-11-24

**Filing Date:** 2008-11-18

**Transformed into a National Application:** No

**Registration Date:** (DATE NOT AVAILABLE)

**Register:** Principal

**Law Office Assigned:** (NOT AVAILABLE)

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov**

**Current Location:** 042 -New Application Processing

**Date In Location:** 2008-11-24

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## LAST APPLICANT(S)/OWNER(S) OF RECORD

---

1. ASICS Corporation

**Address:**

ASICS Corporation  
1-1, Minatojima-Nakamachi 7-Chome  
Chuo-ku, Kobe 650-8555  
Japan

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Japan

**Phone Number:** (845) 357-4533

**Fax Number:** (845) 357-4616

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**GOODS AND/OR SERVICES**

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**International Class:** 018

**Class Status:** Active

BACKPACKS, WAIST PACKS, ALL PURPOSE SPORT BAGS, NAMELY, BAGS FOR RUNNING, WRESTLING, VOLLEYBALL, AND CARRYING WATER, ARMBANDS, CARRYING SPORTS GEAR AND SPORTS BALLS, WAIST POUCHES, SHOE BAGS FOR TRAVEL, ALL-PURPOSE ATHLETIC BAGS FOR USE IN LOCKERS, SPORTS SACS, ALL-PURPOSE ESSENTIAL CARRYING BAGS FOR CARRYING CHAIRS, ALL-PURPOSE ESSENTIAL CARRYING BAGS, DUFFLE BAGS, BRIEFCASES

**Basis:** 1(b)

**First Use Date:** (DATE NOT AVAILABLE)

**First Use in Commerce Date:** (DATE NOT AVAILABLE)

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**ADDITIONAL INFORMATION**

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(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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**NOTE:** To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-11-22 - Notice Of Pseudo Mark Mailed

2008-11-21 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Michael E. Zall

**Correspondent**

MICHAEL E. ZALL

MICHAEL E. ZALL

2 YORKSHIRE DR

SUFFERN, NY 10901-7414

Phone Number: (845) 357-4533

Fax Number: (845) 357-4616

## **EXHIBIT B**



Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2008-12-16 13:38:00 ET

Serial Number: 76664929 Assignment Information

Trademark Document Retrieval

Registration Number: 3305197

Mark



(words only): ASICS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2007-10-09

Filing Date: 2006-08-21

Transformed into a National Application: No

Registration Date: 2007-10-09

Register: Principal

Law Office Assigned: LAW OFFICE 106

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-10-09

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. ASICS Corporation

**Address:**

ASICS Corporation  
1-1, Minatojima-Nakamachi, 7-chome Chuo-ku

Kobe 650-8555

Japan

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Japan

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### GOODS AND/OR SERVICES

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**International Class:** 018

**Class Status:** Active

Backpacks, waist packs, all purpose sport bags, namely, bags for running, wrestling, volleyball, and carrying water, armbands, carrying sports gear and sports balls, waist pouches, shoe bags for travel, all-purpose athletic bags for use in lockers, sports sacs, all-purpose essential carrying bags for carrying chairs, all-purpose essential carrying bags, duffle bags, briefcases

**Basis:** 1(a)

**First Use Date:** 2006-05-22

**First Use in Commerce Date:** 2006-05-22

**International Class:** 025

**Class Status:** Active

Footwear; Athletic apparel, namely, jerseys, singlets, running tops, capris, shorts, shirts, exercise compression shirts, exercise compression tights, tank tops, jackets, vests, tights, running pants, bras, briefs, exercise compression bras, bermuda shorts, t-shirts, socks, caps, visors, hats, beanies, skull caps, headbands, gloves, wristbands, ankle bands, reflective vests and reflective ankle, wrist and armbands

**Basis:** 1(a)

**First Use Date:** 2006-05-22

**First Use in Commerce Date:** 2006-05-22

**International Class:** 028

**Class Status:** Active

Knee pads for athletic use, wrestling head guards, jump ropes, elbow pads for athletic use, volleyball nets, and volleyball net antennas

**Basis:** 1(a)

**First Use Date:** 2006-05-22

**First Use in Commerce Date:** 2006-05-22

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### ADDITIONAL INFORMATION

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**Color(s) Claimed:** Color is not claimed as a feature of the mark.

**Design Search Code(s):**

**26.03.28** - Miscellaneous designs with overall oval shape, including amoeba-like shapes and irregular ovals; Oval shape (miscellaneous overall shape)

**26.17.09** - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

**Prior Registration Number(s):**

1128988

1300637

1300720

1308985

1962590

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2007-10-09 - Registered - Principal Register

2007-07-24 - Published for opposition

2007-07-04 - Notice of publication

2007-05-08 - Law Office Publication Review Completed

2007-05-08 - Assigned To LIE

2007-04-19 - Approved for Pub - Principal Register (Initial exam)

2007-04-18 - Teas/Email Correspondence Entered

2007-04-17 - Communication received from applicant

2007-04-17 - TEAS Response to Office Action Received

2006-11-30 - Non-final action e-mailed

2006-11-30 - Non-Final Action Written

2006-11-29 - Assigned To Examiner

2006-09-02 - Application Filing Receipt Mailed

2006-08-29 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Michael E. Zall

**Correspondent**

MICHAEL E. ZALL

2 YORKSHIRE DR

SUFFERN, NY 10901-7414

Phone Number: (845) 457-4533

Fax Number: (845) 357-4616

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Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2008-12-16 13:41:27 ET

Serial Number: 76488727 Assignment Information Trademark Document Retrieval

Registration Number: 2816548

Mark



(words only): ONITSUKA TIGER

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-02-24

Filing Date: 2003-02-10

Transformed into a National Application: No

Registration Date: 2004-02-24

Register: Principal

Law Office Assigned: LAW OFFICE 108

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-03-01

---

**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. ASICS Corporation

**Address:**

ASICS Corporation  
1-1 Minatojima-Nakamachi 7 Chome Chuo-ku

Kobe 650-8555

Japan

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Japan

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### GOODS AND/OR SERVICES

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**International Class:** 018

**Class Status:** Active

Bags, namely gym bags, tote bags, shoulder bags, all-purpose sport bags and wallets

**Basis:** 1(a)

**First Use Date:** 2002-12-05

**First Use in Commerce Date:** 2002-12-05

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### ADDITIONAL INFORMATION

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**Design Search Code(s):**

**26.11.21** - Rectangles that are completely or partially shaded

**26.11.25** - Rectangles with one or more curved sides

**Prior Registration Number(s):**

832457

876427

924162

971245

1273614

1283437

1291040

1294438

1294473

1301786

1313432

1342855

1349547

2293587

2300777

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### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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### PROSECUTION HISTORY

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**NOTE:** To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2004-02-24 - Registered - Principal Register

2003-12-02 - Published for opposition

2003-11-12 - Notice of publication

2003-09-29 - Approved for Pub - Principal Register (Initial exam)

2003-09-22 - Examiner's amendment mailed

2003-08-01 - Non-final action mailed

2003-07-22 - Assigned To Examiner

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Michael E. Zall

**Correspondent**

MICHAEL E. ZALL

ASICS TIGER CORP.

TWO YORKSHIRE DRIVE

SUFFERN, NEW YORK 10901

Phone Number: (845) 357-4533

Fax Number: (845) 357-4616

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**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2008-12-16 13:41:39 ET**

**Serial Number:** 74216712 [Assignment Information](#) [Trademark Document Retrieval](#)

**Registration Number:** 1962590

**Mark**



**(words only):** ASICS

**Standard Character claim:** No

**Current Status:** This registration has been renewed.

**Date of Status:** 2006-06-21

**Filing Date:** 1991-10-29

**Transformed into a National Application:** No

**Registration Date:** 1996-03-19

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 109

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 40S -Scanning On Demand

**Date In Location:** 2006-08-25

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. ASICS Corporation

**Address:**

ASICS Corporation  
1-1 Minatojima-Nakamachi 7-chome



Chuo-ku, Kobe City, Hyogo Prefecture

Japan

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Japan

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### GOODS AND/OR SERVICES

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**International Class:** 018

**Class Status:** Active

all purpose sports bags, athletic bags, fanny packs, shoe bags for storage, shoulder bags, travelling bags, tote bags, travel bags, duffel bags, knapsacks, rucksacks

**Basis:** 44(e)

**First Use Date:** (DATE NOT AVAILABLE)

**First Use in Commerce Date:** (DATE NOT AVAILABLE)

**International Class:** 022

**Class Status:** Section 8 - Cancelled

**Basis:** 44(e)

**First Use Date:** (DATE NOT AVAILABLE)

**First Use in Commerce Date:** (DATE NOT AVAILABLE)

**International Class:** 025

**Class Status:** Active

sports shoes, athletic shoes, track and field shoes, track and field spiked shoes, marathon shoes, running shoes, jogging shoes, training shoes, football shoes (boots), basketball shoes, volleyball shoes, tennis shoes, handball shoes, American football shoes, weightlifting shoes, badminton shoes, boxing shoes (boots), wrestling shoes (boots), court shoes, baseball shoes, junior sports shoes, bowling shoes, mountaineering shoes (boots), school sports shoes, casual shoes, leisure shoes, shoes in general, other shoes, inner soles for shoes, sports socks, golf socks, other socks, track suits, track and field sweat suits, warm-up suits, running suits, other suits, sweat shirts, running shirts, polo shirts, other shirts, sweat pants, wind-proof pants, other pants, trousers, running shorts, heavy shorts, other shorts, jerseys, other coats, sweaters, wind-proof jackets, other jackets, vests, sports underwears, other underwears, bathing trunks and suits, running gloves, other gloves, sports caps, other caps, other hats, wrist bands, sunvisors, and headwear

**Basis:** 44(e)

**First Use Date:** (DATE NOT AVAILABLE)

**First Use in Commerce Date:** (DATE NOT AVAILABLE)

**International Class:** 026

**Class Status:** Active

hair bands

**Basis:** 44(e)

**First Use Date:** (DATE NOT AVAILABLE)

**First Use in Commerce Date:** (DATE NOT AVAILABLE)

**International Class:** 028

**Class Status:** Active

leg guards for athletic use, athletic supporters, athletic tapes, volleyball nets

**Basis:** 44(e)

**First Use Date:** (DATE NOT AVAILABLE)

**First Use in Commerce Date:** (DATE NOT AVAILABLE)

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**ADDITIONAL INFORMATION**

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**Description of Mark:** The mark consists of a stylized letter "A".

**Design Search Code(s):**

**26.03.21** - Ovals that are completely or partially shaded

**Prior Registration Number(s):**

1273614

1294438

1308985

**Foreign Application Number:** 3-53113

**Foreign Registration Number:** 2656042

**Foreign Registration Date:** 1994-04-28

**Country:** Japan

**Foreign Filing Date:** 1991-05-22

**Foreign Expiration Date:** 2004-04-28

**Foreign Application Number:** 3-53114

**Foreign Registration Number:** 2643860

**Foreign Registration Date:** 1994-04-28

**Country:** Japan

**Foreign Filing Date:** 1991-05-22

**Foreign Expiration Date:** 2004-04-28

**Foreign Application Number:** 3-53115

**Foreign Registration Number:** 2591979

**Foreign Registration Date:** 1993-10-29

**Country:** Japan

**Foreign Filing Date:** 1991-05-22

**Foreign Expiration Date:** 2003-10-29

**Foreign Application Number:** 3-53116

**Foreign Registration Number:** 2667639

**Foreign Registration Date:** 1994-05-31

**Country:** Japan

**Foreign Filing Date:** 1991-05-22

**Foreign Expiration Date:** 2004-05-31

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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**NOTE:** To view any document referenced below, click on the link to "Trademark Document

**Retrieval" shown near the top of this page.**

2006-08-25 - Case File In TICRS

2006-06-21 - First renewal 10 year

2006-06-21 - Section 8 (10-year) accepted/ Section 9 granted

2006-06-21 - Partial Section 8 ( 10-Year) accepted/checked record for section

2006-06-12 - Assigned To Paralegal

2006-03-10 - Combined Section 8 (10-year)/Section 9 filed

2006-03-10 - PAPER RECEIVED

2005-12-20 - TEAS Change Of Correspondence Received

2002-05-04 - Section 8 (6-year) accepted & Section 15 acknowledged

2002-03-06 - Section 8 (6-year) and Section 15 Filed

1996-03-19 - Registered - Principal Register

1995-12-26 - Published for opposition

1995-11-24 - Notice of publication

1995-03-15 - Approved for Pub - Principal Register (Initial exam)

1995-02-21 - Communication received from applicant

1994-12-20 - Non-final action mailed

1994-08-30 - Communication received from applicant

1994-09-14 - Communication received from applicant

1994-07-20 - Letter of suspension mailed

1994-04-05 - Communication received from applicant

1992-10-20 - Letter of suspension mailed

1992-10-07 - Examiner's amendment mailed

1992-10-06 - Previous allowance count withdrawn

1992-09-30 - Approved for Pub - Principal Register (Initial exam)

1992-09-18 - Examiner's amendment mailed

1992-08-04 - Communication received from applicant

1992-03-09 - Non-final action mailed

1992-01-09 - Assigned To Examiner

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Robert W. Adams

**Correspondent**

Robert W. Adams

Nixon & Vanderhye P.C.

11th Floor

901 North Glebe Road

Arlington VA 22203-1808

Phone Number: (703) 816-4022

Fax Number: (703) 816-4100

**Domestic Representative**

Nixon & Vanderhye P.C.

---

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2008-12-16 13:41:54 ET

Serial Number: 73406164 Assignment Information      Trademark Document Retrieval

Registration Number: 1308985

Mark



(words only): ASICS

Standard Character claim: No

Current Status: This registration has been renewed.

Date of Status: 2005-01-13

Filing Date: 1982-12-16

Transformed into a National Application: No

Registration Date: 1984-12-11

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: 40S -Scanning On Demand

Date In Location: 2008-05-15

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

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1. ASICS CORPORATION

Address:

ASICS CORPORATION

1-1 MINATOJIMA-NAKAMACHI 7-CHOME, CHUO-KU

KOBE CITY, HYOGO PREFECTURE

Japan

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Japan

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### GOODS AND/OR SERVICES

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**International Class:** 018

**Class Status:** Active

Duffle Bags, All-Purpose Sports Bags, Totebags, Backpacks, Gym Bags Designed for Carrying Athletic Shoes, Rucksacks, Knapsacks, and Haversacks

**Basis:** 1(a)

**First Use Date:** 1978-12-00

**First Use in Commerce Date:** 1979-02-00

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### ADDITIONAL INFORMATION

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**Prior Registration Number(s):**

1128988

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### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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### PROSECUTION HISTORY

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2008-05-15 - Case File In TICRS

2005-01-13 - First renewal 10 year

2005-01-13 - Section 8 (10-year) accepted/ Section 9 granted

2004-12-06 - Combined Section 8 (10-year)/Section 9 filed

2004-12-06 - PAPER RECEIVED

1990-07-11 - Section 8 (6-year) accepted & Section 15 acknowledged

1990-05-02 - Section 8 (6-year) and Section 15 Filed

1984-12-11 - Registered - Principal Register

1984-10-02 - Published for opposition

1984-08-02 - Notice of publication

1984-06-08 - Approved for Pub - Principal Register (Initial exam)

1984-05-30 - Examiner's amendment mailed

1984-03-22 - Communication received from applicant

1983-09-30 - Non-final action mailed

1983-09-02 - Assigned To Examiner

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

ROBERT W. ADAMS

**Correspondent**

ROBERT W. ADAMS

NIXON & VANDERHYE, P.C.

1100 NORTH GLEBE ROAD, 8TH FLOOR

ARLINGTON, VA 22201

**Domestic Representative**

TILTON FALLON LUNG MUS & CHESTNUT

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Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2008-12-16 13:42:04 ET

Serial Number: 73115074 Assignment Information      Trademark Document Retrieval

Registration Number: 1128988

Mark (words only): ASICS

Standard Character claim: No

Current Status: This registration has been renewed.

Date of Status: 2000-11-04

Filing Date: 1977-02-07

Transformed into a National Application: No

Registration Date: 1980-01-08

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2008-02-05

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#### LAST APPLICANT(S)/OWNER(S) OF RECORD

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##### 1. ASICS CORPORATION

**Address:**

ASICS CORPORATION  
1-1 MINATOJIMA-NAKAMACHI 7 CHOME CHUO-KU, KOBE CITY,  
HYOGO PREFECTURE  
Japan

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Japan

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#### GOODS AND/OR SERVICES

---

**International Class:** 018

**Class Status:** Active



**SPORTS BAGS FOR GENERAL USE****Basis:** 1(a)**First Use Date:** 1976-12-23**First Use in Commerce Date:** 1976-12-28**International Class:** 025**Class Status:** Active

ATHLETIC SHOES, SHIRTS, PANTS, SOCKS, AND WARM-UP SUITS

**Basis:** 1(a)**First Use Date:** 1976-12-23**First Use in Commerce Date:** 1976-12-28**International Class:** 028**Class Status:** Active

VOLLEYBALLS, VOLLEYBALL NETS, BASEBALL BATS, BASEBALL GLOVES, TENNIS RACKETS, GOLF BALLS, SKIS, AND SKI BINDINGS

**Basis:** 1(a)**First Use Date:** 1976-12-23**First Use in Commerce Date:** 1976-12-28

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**ADDITIONAL INFORMATION**

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(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2008-02-05 - Case File In TICRS

2000-11-04 - First renewal 10 year

2000-11-04 - Section 8 (10-year) accepted/ Section 9 granted

1999-12-29 - Combined Section 8 (10-year)/Section 9 filed

1990-04-13 - Section 15 acknowledged

1990-02-05 - Section 15 affidavit received

1986-03-04 - Section 8 (6-year) accepted

1985-11-22 - Post Registration action mailed - Section 8

1985-08-15 - Section 8 (6-year) filed

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

ROBERT W. ADAMS

**Correspondent**

ROBERT W. ADAMS

NIXON & VANDERHYE P.C.

1100 NORTH GLEBE ROAD, 8TH FLR

ARLINGTON, VA 22201

**Domestic Representative**

ROBERT W. ADAMS

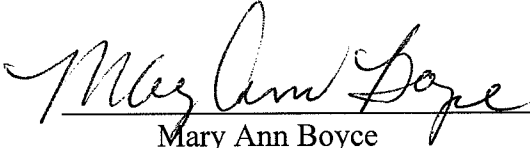
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CERTIFICATION OF SERVICE

The undersigned hereby certifies that the original of the foregoing NOTICE OF OPPOSITION has been served by overnight mail to Applicant's attorney of record at the following address:

CLEMENT CHENG  
NEWHOPE LAW PC  
17220 NEWHOPE ST STE 127  
FOUNTAIN VALLEY, CA 92646

Date: December 18, 2008

  
\_\_\_\_\_  
Mary Ann Boyce